Remarks

Applicants respectfully request reconsideration of this application as amended. Claims 1, 5, 10, 14, 18, and 22 have been amended. No claims have been cancelled or added. Therefore, claims 1-26 are presented for examination. Applicants submit that no new subject matter has been added by these amendments.

Claims 1-2, 4-5, 10-12, 14-15, 17-19 and 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,353,949 of Parker (hereafter "**Parker**") in view of U.S. Patent No. 6,038,636 of Brown, III et al. (hereafter "**Brown**"). Applicants submit that the claims are patentable in view of Parker and Brown. Particularly, the Applicants respectfully disagrees with the Examiner's characterization of Parker and Brown and point out several distinctions between the claimed subject matter and the teachings of Parker and Brown.

As presently understood by the Applicants, Parker generally relates to a portable electronic device that includes a log-structured file system implemented in flash memory. The log-structured file system includes a write function for storing contiguous data records to the flash memory. (Abstract) The flash memory and the log-structured file system stores a plurality of logs of contiguous data records in the flash memory, and reads data from the flash memory using a plurality of memory mapped pointers that point to the individual data records. ([col. 2, ll. 32-36]) Parker further discloses that the plurality of memory mapped pointers may be stored in a RAM associated with the portable electronic device. ([col. 3, ll. 18-21])

As presently understood by the Applicants, Brown generally relates to reclaiming space on a flash memory device. The reclaiming process occurs on a block-by-block basis to

the entire flash memory device, wherein the active files of the memory are defragmented. More specifically, valid data is copied from an individually erasable sector on the flash device to a designated memory location. The sector is then formatted and the valid data is returned to the flash device at the next available free space contiguously. A pointed is updated to keep track of the location of the next available recently formatted free space on the flash device and the process is repeated. (Abstract and [col. 1, ll. 6-11])

Claim 1 of the present application recites "reserving the space in the flash memory to ensure the space is not used in a manner not associated with the request." Applicants submit that both Parker and Brown do not disclose "reserving the space in the flash memory to ensure the space is not used in a manner not associated with the request." The Examiner admits on page 3 of the Office Action that Parker does not teach "the initialization including reclaiming space in the flash memory to accommodate the request and reserving the space in flash memory." The Examiner continues by stating that Brown remedies this deficiency by teaching "a method for reclaiming memory space on a flash memory to accommodate a request in order to provide space for a largest possible contiguous file to be place on the flash memory, i.e., to reserve the space in the memory." The Applicants disagree with the Examiner that Brown remedies this deficiency. The Applicants can find no teaching of ***reserving*** the space in Brown. At best, Brown may reclaim memory space. Contrary to the assertion seemingly made by the Examiner, ***reserving*** space in memory ***is not the same as providing, or reclaiming, space*** for the largest contiguous file.

Claim 1 is distinguishable over the combination of Parker and Brown for at least this reason. Claims 2-4 properly depend from claim 1 and inherit all of the limitations of claim 1.

As such, claims 2-4 are distinguishable over the combination of Parker and Brown for at least the same reason as given for claim 1.

Claim 5 includes a similar limitation as in claim 1 stating "reserving the space in the flash memory to ensure the space is not used in a manner not associated with the request." Consequently, claim 5 is distinguishable over the combination of Parker and Brown for at least a similar reason as given for claim 1.

Claim 10 recites "reserving the space in the flash memory to ensure the space is not used to comply with a second request received by the write unit until the first request is completed." As presently understood by the Applicants, Brown does not teach or reasonably suggest "reserving the space in the flash memory to ensure the space is not used to comply with a second request received by the write unit until the first request is completed." Consequently independent claim 10 and its dependent claims, claims 11-13, are distinguishable over the combination of Parker and Brown for at least this reason.

With regard to claims 14, 18, and 22, these claims have been amended similar to claim 1. As such, claims 14, 18, and 22, and their proper dependent claims, are distinguishable over the combination of Parker and Brown for at least the reason similar for that given for claim 1.

Claims 3, 6-8, 13, 16, 20 and 22-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Parker in view of Brown, III et al. as applied to claims above, and further in view of EP 0489204 of Lloyd-Jones (hereafter "**Lloyd-Jones**"). Applicants submit that the present claims are patentable over Parker and Brown and in view of Lloyd-Jones.

As presently understood by the Applicants, Lloyd-Jones generally relates to a reprogrammable data storage device which includes a host I/O port, a media read/write drive,

a data buffer for buffering data flow between the I/O port and the drive, and control and processing electronics. (Abstract)

However, Lloyd-Jones does not disclose or suggest "***reserving space*** in a flash memory is not used in a manner not associated with the request," as recited by independent claims 1, 5, 14, 18 and 22. In addition, Lloyd-Jones does not disclose or suggest "reserving the space in the flash memory to ensure the space is not used to comply with a second request received by the write unit until the first request is completed," as recited by independent claim 10. As discussed above, neither Parker nor Brown disclose or suggest such a feature. Consequently, the combination of Parker and Brown with Lloyd-Jones does not remedy this deficiency. For at least this reason, claims 3, 6-8, 13, 16, 20 and 22-25 are distinguishable over the combination of Parker, Brown, and Lloyd-Jones.

Claims 9 and 26 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Parker in view of Brown and Lloyd-Jones as applied to claims above, and further in view of U.S. Patent No. 5,590,306 of Watanabe et al. (hereafter "**Watanabe**"). Applicants submit that the present claims are patentable over Parker, Brown and Lloyd-Jones in view of Watanabe.

As presently understood by the Applicants, Watanabe discloses an IC memory card control system including an IC memory card and an IC memory card control apparatus. The IC memory card is detachably mounted to store therein management information as well as data. The management area of the IC memory card is provided with an identification area into which are written an occupation code indicative of recording of the data in the data area and a recording code indicative of an abnormal recording of the data in the data area.

(Abstract). However, Watanabe does not disclose or suggest reserving space in a flash memory.

As discussed above, Parker, Brown and Lloyd-Jones do not disclose or suggest such a feature. Since Parker, Brown and Lloyd-Jones and Watanabe do not individually disclose or suggest reserving space in a flash memory as described in the claims, any combination of Parker, Brown and Lloyd-Jones and Watanabe would not disclose or suggest the feature. Therefore, claims 9 and 26 are patentable over Parker, Brown and Lloyd-Jones in view of Watanabe.

Applicants respectfully submit that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 21, 2006

Mark L. Watson
Reg. No. 46,322

12400 Wilshire Boulevard
7th Floor
Los Angeles, California 90025-1026
(303) 740-1980